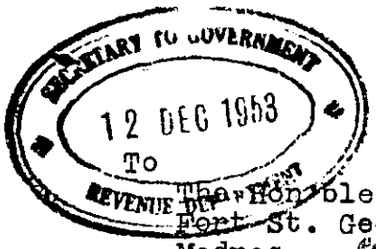
FOR MYSORE STATE

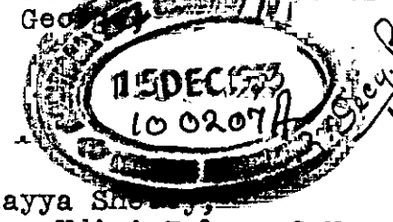
Rev (195 ~~8~~) Department.

MS SERIES.

G.O. No.	323
Dated	11-2-54

[Despatch Abstract.]





Madras 1.
4.12.53

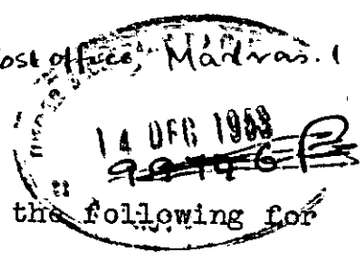
To

The Hon'ble Chief Minister of Madras,
Fort St. George,
Madras.

From

D.B.Anthayya
Brahmavar, Udipi Taluq, S.Kanara Dt.

Present Address.
C/o Post Master,
Flower Bazar Post office, Madras.1



Hon'ble Sir,

May I be kindly permitted to bring the following for your consideration, so as to bring to your notice how under the present administration justice invariably goes against the poor, and how powerful and vested interests always get the better out of government officials, and how life has become intolerable in the villages for any honest man whose political convictions go against those of the powerful sections of society. I also beg to inform you that I am appealing to you as the last resort, and with the sincere hope that, being in charge of the whole administrative set-up you may effectively redress my grievance in the interests of justice and fairplay. I am a poor villager. My property has been misused by government officials at the district level; and this injustice has been allowed to pass unenquired by the State Govt. in Madras. All my repeated appeals in this regard have turned futile. As a result I am reduced to a position of utter poverty and loss. Having no other alternatives open, I have come to you, Sir, with the set determination that, unless Providence bestows justice on me through the agency of your honourable self within 7 days of this appeal, I should give up my life, right at this place on a fast strike and as a martyr to an unenviable cause.

I am a poor agriculturist of Brahmavar in Udipi Taluq, South Kanara District, and was associated with the national movement for Independence ever since 1930. I have also the honour to be working as a member of Udipi Taluq Prohibition Committee, Brahmavar Circle Congress Committee and have partaken in the Harijan uplift

movement of the taluq. It is sheer irony of my fate and a reflection of the sad facts of our administration that I should be involved in the following case and thus be deprived of the opportunity of taking full interest in my usual social activities in the last two years.

When the government decided round about 1948 (1948) to grant lands to political sufferers, I also applied and was assigned 10 acres of land in Chaútar village of Udipi Taluq in 1950. Subsequent to my complaint that the land assigned was unfultivable, the then collector of South Kanara, Sri A.R.Rajaratnam who was then camping in Brahmavar, was kind enough to agree to grant me 6½ acres in Kumaragodu village (S.No.6A1) on lease for 10 years, in case I gave up my claim for the previously granted 10 acres in Chantar village, and provided the P.W.D. had no objection to the same. I readily agreed to this, since the new land was in close proximity to my house. Subsequently, I was told by the Revenue Inspector that the P.W.D. had no objection to grant of the lease, and on the assurance given by the then collecter that I would be assigned the said 6½ acres I gave up my claim for the 10 acres already assigned, and following the orders of the government the Revenue Inspector collected from me the advance annual rent of Rs.12/8/- as per his receipt dated 23.7.1952. Assured by the district collector, Sri A.R.Rajaratnam, and having paid the rent in advance, I had no reason to be apprehensive about the assignment of the land. And since it was the most appropriate time for reclamation, I genuinely felt that I should waste no more time waiting for the formal orders of the government regarding assignment, and should proceed with my work on the land. With the help of several of my neighbours and friends, I built a house to live in the said plot, cleared of the land of its thorny undergrowth, and raised its level above low floods at the total cost of nearly Rs.5000/-. Since the crops could be raised only during the monsoon season, I proceeded with actual cultivation of paddy in nearly 2 acres and planted nearly 40 cocoanut seedlings in addition to tapioca cultivation. The total land reclaimed was nearly 4 acres.

Soon after this, I learnt that some wealthy neighbourers of this land, who presumably bore a political grudge against me were trying

to influence the Revenue Department against granting me the proposed lease. In this connection some of these men destroyed, several of my improvements, and when I complained to the government about this, the R.D.O. visited the site and told me that the Collector would also inspect the land. The collector at this time was Mr.C.A.Ramakrishnan, who was obviously new to this case. Being aware of the powerful forces working against me, I took care to submit a petition to the Collector requesting him to inspect the land either on a surprise visit or with simultaneous notice to both the parties. Following this, I received an intimation from the Collector of his proposed visit on 19.12.1952 at 4 p.m.(as per his Ref.No.B5/22615/51). However to my great surprise, the collector inspected the plot at 9:30 a.m (instead of at 4 p.m.) preceded by a growd of nearly 100 people who were obviously in the camp against me. I learnt later that the opposing party had full knowledge of the collector's changed programme, while the collector himself did not find it necessary to inform me the same. What could have happened under these circumstances did happen. My opponents having previous knowledge of the vist had arranged an organised opposition to be presented to the collector in English language, to which I was a stranger and had no immediate access, taken as I was unawares. I tried my best to explain the grave injustice done to my case in Kannada. Even if the Collector may not have understood my representations, he could not have missed noticing the improvements effected by me on the land. But neither the personal inspection by the collector, nor my representations proved to be of avail; for, to my greatest disappointment, I received an order from the Board of Revenue cancelling the lease. The Board of Revenue did not even consider it necessary to inform me of the grounds for cancellation in spite of my requests.

I need not state that but for the representation and assurance given to me after the first directive of His Excellency the Governor (who was in charge of the administration), I would not have sunk so much of capital which I could ill afford having due regard to my financial status. It is now 1½ years since I am in possession of

5

the land, but I could not even reap the first fruits of my cultivation. The grant of the land is only on a lease of 10 years, and as such I may be kindly permitted to enjoy the fruits of my investment and hard work. Further, if I am evicted at this stage, all the capital sunk would be wasted, and there would be none to take care of the cocoanut seedlings, and the bund constructed would be washed away.

vide M.1-4 and 7-8 cf. 1 (N) M.36-38 cf. 1 (N)

Under these circumstances, I prayed for the reconsideration of the cancellation order by the personal intervention of the Revenue Minister himself, twice before but with no effect; and for the third time I have sunmitted a perition to him. But I have no faith that justice would be done to me by the usual functioning of the department, since there appear to be powerful forces among legislators illegitimately influencing the administration in this case. At this juncture, I have no other recourse than to appeal to you as the last resort. So, I humbly pray that you may kindly go through this whole proceedings personally and immediately grant me justice, so that even a common man like me may rest assured that fair-play is meted out to all under your regime.

I am a poor villager, possessing no land or house of my own. I have further given up my claim on the 10 acres of uncultivable land granted to me as a political sufferer, because the Revenue department assured me a separate plot on lease. But the very same department, influenced later by wealthy interests having political influence, has gone back upon its words and has cancelled my lease. The hard labour, and enterprise and capital amounting to Rs.5,000/- financed out of loans borrowed by me is going to be sacrificed on the altar of this governmental injustice. The wrong done by the officers on the district level has been silently approved and ratified by higher authorities on the state level. Grant or no grant of lease to a poor tiller of the soil does not matter much to a big state government possessing vast public land. But unexpected loss of 6½ acres along with the house, trees and crops in it will be a fatal financial and psychological blow to me, which my poor living can never bear. I cannot return home, carrying this heavy burden of injustice, loss and ruin. I have come to you

honourable Sir, as the last resort. I have come with the firm decision that unless you grant me justice within 7 days after this application, I shall give up my life right here on a fast strike against the injustice and loss imposed on me by your government. I am strongly convinced that, under the principles, brought home to me by Bapuji, the Father of the Nation, this is the only course open to me at this juncture.

BEGGING FOR JUSTICE OR PLACING MY LIFE HEREWITH AT YOUR FEET,

I remain,
Sir,
Humbly Yours,

ಇ- ಲಂಬೋದರಪೈ
4-12-53

copies to

H.E.The Governor of Madras,
The Hon'ble Sri A.B.Shetty,
Chief Secretary to the Govt. of Madras,
District Collector, South Kanara,
Leader of the opposition, Madras Legislative Assembly,
President, T.N.C.C.,
President, Indian National Congress,
Hon'ble Sadanand Hegde, MP,
Sri T.A.Pai, MLA,
Editors, Hindu, Mail, Express and Dinathanthi.
president K.P.C.C Hubali

WITH REQUESTS TO ALL TO DO THEIR BEST.

4628 A/54
21-1-54

Special

(Secy. Revenue)

20th January '54

DEPUTY SECRETARY TO GOVERNMENT 21 JAN 1954 REVENUE DEPARTMENT

HON'BLE MINISTER (PROHIBITION) 20 JAN 1954 GOVERNMENT OF MADRAS

From

D. B.Anthayya Shetty,
Brahmavar, South Canara,

Camp: Madras.

I would like to see the papers relating to this petition very urgently.
20-1-54.

The Hon'ble Minister for Revenue,
Government of Madras,
Fort St.George, Madras.

Respected Sir:

Sub: My fast before the Secretariat for the return of land bearing Survey No.6 A1 in Kumaragod Village, Udipi Taluk,S.K. broken by your promise on 16.12.53 to return it within a week.

SECRETARY TO GOVERNMENT 20 JAN 1954 REVENUE DEPARTMENT

MINISTER SECRETARIAT TO GOVERNMENT 21 JAN 1954 REVENUE DEPARTMENT

I beg to remind you of your above promise and I am sorry to see that I have not yet received any orders as promised by you even though it is nearly a month now., I therefore once again request you to kindly expedite the same

In this connection I have to inform you that some days back I happened to meet Mr.K.Sanjeeva Shetty (i.e. S.S.Kolke Bail, M.L.A.Brahmavar) near the Assembly Buildings, Mount Road. He is a K.M.P. Partyman and inimically disposed towards me. He used very harsh words towards me and threateningly told me that he will see that I do not get the above land or even if I get it he will see that I cannot enjoy it. He also said "You joining the robber Congress Party caused me so much of loss during election which I will make up from your own land". In view of this I have reason to believe that he may represent to you against your giving me the above plot. I give herebelow somefacts about him so that you can know what sort of a man he is and understand the real motive of his representations.

He is an out and out Anti-Congressman. He is an Anti-prohibitionist as you will find from the enclosed letter from the District Congress Committee Mangalore to the District Prohibition Officer which is self explanatory. He is always looking for his selfish ends. He saw that the Govt. Poramboke lands and forests were allotted to his relatives i.e. Mr.K.Mahabal Shetty, H.Seemappa Shetty, B.Sanjeeva Shetty etc. and they have made a

profit of about Rs.15,000/- by selling govt. timber and firewood. To show to the people of the District and outside, he collects si nature from school children on blank paper and then writes what he wants. All these I have explained in detail in my petition of 11.11.53.

Mp. 36-38
Cf. (N)

I therefore request you in view of the above facts to kindly reject any of his representation against your giving me the above land as he wants to wreck vengeance against me for my having worked in the Congress party and against him in the last Elections and he is trying to get the land for himself, and request you once again to let me have the orders at an early date.

As I have already made it clear in the various past petitions, without getting back the land I cannot return home and as such if I do not get the orders by the 30th January '54, I will have no other alternative (50) but to resort to the non-violent method of getting satisfaction by fasting.

Hope you will keep up your promise and avoid it by issuing orders early.

Thanking you,

Yours faithfully,
V. Godfrey Silva
20-1-54

Copy to the Minister for Prohibition.

Rev. Dept. 9

Read:

From the Collr. of S.Kanara, Lr.No.B5.8806-53 dated 14.5.53.
From the Bd. of Rev. Ref. J.1889/53-2 d/5.6.1953.
Govt. Memo. No. 25813 A/53-2, Rev., dated 26.6.53.
From Sri D.B. Anthayya Shetty, Brahmavar, petition dated 4.12.1953 and 20.1.54.

G.O.Ms.No. 323 dated 11.2.54

The Government have re-examined the ~~whole~~ question and they direct that the land measuring 8.34 acres in S.No.6/A1 of Kumragod village, Udipi taluk, South Kanara district, be leased ~~temporarily~~ to Sri D.B.Anthayya Shetty of Brahmavar for a period of seven years under B.S.O.15-A ~~and~~ subject to the usual conditions and ~~any~~ such other special conditions which the Collector of South Kanara may consider necessary to impose.

1. The petitioner is requested to contact the Collr. of S.Kanara for orders on his petition mentioned above.

11.2.54

To the Collr. of S.Kanara.
" " Bd. of Rev. (L.R).
" Sri D.B. Anthayya Shetty, Brahmavar P.O., South Kanara. (forwarded)

27 JAN 1954 5492 A2

20th January '54

From
D.B.Anthayya Shetty,
Brahmavar, South Canara,

Camp: Madras.

MINISTER FOR LAND REVENUE 21 JAN 1954

The Hon'ble Minister for Revenue,
Government of Madras,
Fort St.George, Madras.

SECRETARY TO GOVERNMENT 22 JAN 1954 REVENUE DEPARTMENT

Respected Sir:

Sub: My fast before the Secretariat for the return of land bearing Survey No.6 A1 in Kumaragod Village, Udipi Taluk,S.K. broken by your promise on 16.12.53 to return it within a week.

I beg to remind you of your above promise and I am sorry to see that I have not yet received any orders as promised by you even though it is nearly a month now. I therefore once again request you to kindly expedite the same.

In this connection I have to inform you that some days back I happened to meet Mr.K.Sanjeeva Shetty (i.e. S.S.Kolke Bail, M.L.A.Brahmavar) near the Assembly Buildings, Mount Road. He is a K.M.P. Partyman and inimically disposed towards me. He used very harsh words towards me and threateningly told me that he will see that I do not get the above land or even if I get it he will see that I cannot enjoy it. He also said "You joining the robber Congress Party caused me so much of loss during election which I will make up from your own land". In view of this I have reason to believe that he may represent to you against your giving me the above plot. I give herebelow somefacts about him so that you can know what sort of a man he is and understand the real motive of his representations.

He is an out and out Anti-Congressman. He is an Anti-prohibitionist as you will find from the enclosed letter from the District Congress Committee Mangalore to the District Prohibition Officer which is self explanatory. He is always looking for his selfish ends. He saw that the Govt. Poramboke lands and forests were allotted to his relatives i.e. Mr.K.Mahabal Shetty, H.Seenappa Shetty, B.Sanjeeva Shetty etc. and they have made a

T.1

profit of about Rs.15,000/- by selling govt. timber and firewood. To show to the people of the District and outside, he collects signature from school children on blank paper and then writes what he wants. All these I have explained in detail in my petition of 11.11.53.

I therefore request you in view of the above facts to kindly reject any of his representation against your giving me the above land as he wants to wreck vengeance against me for my having worked in the Congress party and against him in the last Elections and he is trying to get the land for himself, and request you once again to let me have the orders at an early date.

As I have already made it clear in the various past petitions, without getting back the land I cannot return home and as such if I do not get the orders by the 30th January '54, I will have no other go but to resort to the non-violent method of getting satisfaction by fasting.

Hope you will keep up your promise and avoid it by issuing orders early.

Thanking you,

Yours faithfully,
ವೈ. ಲಿಂಗಪ್ಪಶೆಟ್ಟಿ
20/1/1954.

Rev. Dept.

To A.S.

Please see the petition from Sri D. B. Anthaggya Shetty on pp. 1-2 above. The main file on this subject has been circulated to M(R) and M(P) on 3.2.54. The return of the main file may be awaited.

Main file not back I think.

SS
10.2.54

10.2.54

RC: MW.10.207 A/53

दक्षण कन्नड़ जिल्ला काग्रस कमिटि

ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲಾ ಕಾಂಗ್ರೆಸ್ ಕಮಿಟಿ

SOUTH KANARA DISTRICT CONGRESS COMMITTEE

ಮಂಗಳೂರು,
MANGALORE

REF. No.

Date 8th Dec. 1950

The District Prohibition Officer,
South Kanara Dt.,
Mangalore.

Sir,

I have received a letter from Sri Vasudeva Nayak, one of our trusted Congressmen of Kotesbwar, that the Prohibition S.I. of Coondapore is openly supporting the candidature of K.Sanjiva Shetty, Advocate, who is opposing the Congress candidate from Brahmavar Circle and also of Sri L.B.Jinaraja Hegde who is opposing Sri J.J.Mallya for the House of People from the North. It seems he is a great friend of Sri K.Sanjiva Shetty.

Due to a secret understanding between Sri K.Sanjiva Shetty and the said Sub Inspector about 2000 fishermen voters of Kotesawar, Bijadi and Gopadi are made to support Sri K.Sanjiva Shetty and Sri L.B.Jinaraja Hegde. The reasons for this is as follows:

The fishermen who are mostly living on the sea-side and who are engaged in fishing get illicit liquor which is smuggled from Goa through country-craft by certain people. On 31-10-51 5 barrels of liquor containing about 900 bottles were brought by some of

43

these fishermen and they buried the same in the sand on the sea shore at Gopadi village. Some persons who are reported to be the agents of the said S.I. reported this matter to him, after a search which continued for about 9 days at night be kept a guard to see that the illicit liquor was not removed from that place. Then the fishermen were put out and thought that they would lose about Rs.3500/- worth of liquor. They approached one fish merchant Mr. Albert Menezes who contacted Sri V.Sanjiva Shetty, Advocate, Coondapore, and both of them together bribed the S.I. to the extent of Rs.1500/ and the fishermen were allowed to remove the buried liquor.

It is also reported that the S.I. assure the fishermen that he would not trouble them however much they smuggled liquor from Goa in case they all voted for Sanjiva Shetty.

I also reliably understand that the Socialist candidate of Coondapore Sri Srinivasa Shetty, Advocate, Coondapore, has also entered into a secret agreement with Sri Sanjiva Shetty through the Coondapore Dt. Board member Mr. Ignatius Menezes to get the support of fishermen of Coondapore Constituency also by the above means.

Hence I request you to take steps to immediately transfer the said S.I. from Coondapore so that he may not interfere in the elections of Coondapore and Brahmavar Constituencies.

Thanking you

Yours faithfully,

Copy to Sri D.B. Anthaji Shetty, Congress Worker, Brahmavar

K.V.S.

General-Secretary.

KVS/BR.

8

Dated: 11-11-1953 14

To

The Hon'ble Revenue Minister,
Government of Madras, Madras.

D.S. ANTHAYYA SHETTY - BRAHMAVAR, SOUTH KANARA - MEMORIALIST.

Sub: LEASE OF LAND S. No.6A1 of Kumaragodu Village - in exchange of ten acres of land granted in Chantar village, and relinquished by the petitioner.

Being highly aggrieved by the order of the Revenue Department, Government of Madras, dated 26th June, 1953, in memorandum No. 25813/53-2, the memorialist prefers this petition to the Government of Madras, for re-consideration of the previous orders, for the following reasons. on the memorandum No 73945.53 26-9-53

The petitioner is a political sufferer and was engaged in active politics since 1930.

I, on about 1948, applied for assignment of ten acres of land under the political sufferage scheme. Until 12.10.1950, there was no action but, however, on the above date, I was assigned ten acres in Chantar village. But this land was not sought for and I submitted a petition to the Government dated 20.4.51 which was rejected. To this, I submitted a memorandum to His Excellency, The Governor of Madras on 25.7.1951. On this memorandum, the then Collector of South Kanara passed fresh orders, in his reference B8- 22615/51 dated 6.8.1952 wherein I was asked to select alternate lands for assignment and intimate the same to the Collector within seven days, for which intervention I am indebted to the Government. In accordance with this memo of the Collector, I met him personally at his camp at Brahmavar and intimated my alternate selection of land in Kumaragodu village. On my representation, the Collector told me that the particular land could not be assigned to me, but a portion of my selected land (S.No.6A1 in Kumaragodu village, 6½ acres) could be leased to me if I was to agree to waive my claim of ten acres and if the P.W.D had no objection to grant the land. This land being in close proximity to my house and with the assurance of the Collector, I agreed for the lease of ten years and waived my claim for permanent assignment of ten acres of land.

After a few days, I was told by the Revenue Inspector that the P.W.D had no objection for the grant of the lease of the land and that I had been ordered to pay the advance rent for the above lease and he too assured me that the land could be leased to me as the advance rent had been ordered to be collected from me. I paid the ordered amount of Rs 12.8.0 to the Revenue Inspector as per his receipt dated 23.7.52.

With the assurance from the Collector, with no objection from the P.W.D and with further assurance from the Revenue Inspector on payment of the advance rent, I genuinely felt that the land would be leased to me. Immediately, I constructed a house to live in the said plot, with abating of heavy monsoon and floods of June and July of the West Coast, I started to reclaim the land by clearing the thorny undergrowth and raising the land above low floods and high tide levels with the financial and labour aid that was given to me by my village friends. With the speedy reclamation of the land, I took advantage of light post monsoon showers, and I planted paddy seedlings on about two acres. Immediately after transplantation of paddy, I planted 41 cocoanut seedlings which were three years old in the nurseries, with the good co-operation of my friends and well-wishers.

I further proceeded with the reclamation work of raising and levelling to an extent of slightly above four acres by about the second week of last December. All these reclamations and planting cost me more than Rs 3000/- in cash and Rs 2000/- in labour and seedlings, manure and other necessaries. In this connection, I also wish to bring to the notice of the Government that some of my improvements on this land have been destroyed by opponents who are relatives of the political henchman (K.M.P) a Shri. S.S.Kolkebail M.L.A. Brahmavar constituency. Subsequently, the R.D.O came to the place and inspected the same and told me that the Collector would also come. On 29.11.52, I submitted a petition to the Collector to grant a personal inspection of the plot by a surprise visit or with simultaneous notice to me and the opposite parties lead by Shri S.S.Kolkebail M.L.A. (K.M.P) and his relatives who have adjoining interest to this land. I took this course when I was given to understand that Shri S.S. Koldebail and his relatives were out of malice and thirst to grab the land were planning to oust me from this place. The malice is purely due to our difference in political views; and due to my opposition the candidature of Shri S.S.Koldebail, during the last general elections. However, the Collector issued me a notice of his inspection of this plot, S.No.6A1 of Kumaragodu village, intimating me that he would be inspecting the land on 19.12.52 at 4 P.M as per his Ref. No. B.5/22615/51. Unfortunately for me, I saw suddenly without warning a big crowd of 100 people gathered round about my reclaimed land headed by Shri B. Ramana Shetty, Headmaster, Board Higher Elementary School, at Brahmavar, and a close relative of Shri S.S.Kolkebail M.L.A., at about 9 A.M to my great surprise. I was still more surprised when I saw the Collector also coming to the plot at about 9.30 A.M contrary to the time fixed in the notice issued to me which said he would come at 4 P.M.

Being taken unawares inspite of my above mentioned petition to the Collector dated 29.11.52, I was faced with an organised mass opposition. Inspite of this, I tried to explain to the best of my ability in my Kannada language against the English representation lead by the above-mentioned Shri B. Ramana Shetty. If I was given an opportunity, I too could have got several respectable persons of the village to speak to the Collector and I could get persons knowing English who could have explained my point of view to the Collector. By the surprise visit, which was done at the instance of a deputation by the other side, I was taken at a disadvantage and I apprehend my case has suffered for want of adequate representation. But this much, I can positively say, that the improvement was there which must have been seen and noted by the Collector. Soon afterwards, I received a communication from the Board of Revenue cancelling my lease. I do not yet know the grounds on which the Board of Revenue has cancelled the grant of lease to me. I put in this fact of reclamation of low lying waste land by raising the level and making paddy fields of it and the planting and maturing cocoanut trees, at the forefront of my case, all these being done at great expense to me and also physical-labour which in terms of money will be more than Rs 5000/- I need not state that but for the representation and the assurance that the lease would be granted to me after the first directive of His Excellency, The Governor, I would not have spent so much money which I could ill-afford having due regard to my financial status.

It is now more than 1½ years since the memorialist has spent on reclamation and the entire time has been spent for the same and the first harvest was possible only a few months back. Therefore,

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I submit that the grant of the land to the memorialist is only on a lease for a term of ten years. The memorialist has improved the land and it will help the grow-more food policy of the Government if the land is granted to the memorialist.

If the memorialist is evicted, the cocoanut trees and other food crops and paddy fields will be destroyed. It will be highly unjust to deprive the memorialist to reap the fruits of his labours before the expiry of the term of ten years speedily when this was done only after His Excellency's intervention and the assurance of the then Collector.

Under these circumstances, it is prayed that the promised lease of ten years be granted to the memorialist after calling for the connected papers after cancelling the orders passed by the Government of Madras (Revenue) in Memorandum No. 25813.A.53/2 dated the 26th July, 1953.

11-11-1953
MADRAS

MEMORIALIST.

9698A3/54
11.2.54

MINISTER FOR LA... 8-FEB 1954
SECRETARY TO GOVERNMENT 10 FEB 1954 REVENUE DEPARTMENT
SECRETARY TO GOVERNMENT 9 FEB 1954 REVENUE DEPARTMENT
ASSISTANT SECRETARY TO GOVERNMENT 11 FEB 1954 REVENUE DEPARTMENT

8th February 1954.

From
D.B. Anthayya Shetty,
Brahmavar, South Kanara,

Camp: Madras.

The Hon'ble Minister for Revenue,
Government of Madras, Fort St. George,
M A D R A S.

Respected Sir:

Sub: My fast before the Secretariat for the return of land bearing Survey No.6 A1 in Kumaragod Village, Udipi Taluk, S.K. broken by your promise on 16-12-53 to return it within a week.

Ref:-My reminder letter dated 20th January 1954.

Seey, Rev 6.2.54 M(R)

I beg to remind you again of your promise and I am sorry to see that I have not yet received any orders as promised by you even though it is nearly a month and a half now. I therefore once again request you to kindly expedite the same.

You are causing further hardships to me by delaying orders, as I am forced to incur debts to live in the city. I have already incurred debts and if I do not get orders quickly, the debts will add to my burden in life. I therefore request you in view of the above facts to kindly issue orders expeditiously and save me from further miseries.

As I have already made it clear in the various past petitions, without getting back the land I cannot return home and as such if I do not get the orders by the 20th of February 1954, I will have no other go but to resort to fast unto death.

Hope you will keep up your promise and avoid it by issuing orders early.

Thanking you,

Yours faithfully,
D. Boobathyshetty
8-2-54

C.No.100207A/53

Revenue Dept

Lease - Land - (South Kanara) - Udipi taluk - Kumragod village - S.No. 6/A1 - Grant to a political sufferer - Request.

fp. 6 cf. From Sri D. B. Adhaya Shetty, Brahmavar petn. d. 4.12.1953.

Sri R.

Please see the petition on pp. 1-6 cf. and the minutes of M(R) on p. 2 cf. The case has been fully examined. The petitioner was informed that the Govt. did not see any reason to comply with his request which was for grant of a certain land in Kumaragod village. In this connection the note and orders on pp. 1-3 ~~cf.~~ N may be perused. His further representations were also rejected by the Govt. Secy. Revn. d. 21.11.1953, the petitioner was also informed that further representations in the matter would remain unnoticed. In the present petition, the petnr. has threatened to fast unto death if his request is not complied with. The file may be submitted to M(R) w.r.t. his minutes on p. 2 cf.

pp. 1-3 cf. N
pp. 4 & 5 cf. N
pp. 11-15 cf. N
36-37 cf. N
4 & 5 cf. N
pp. 4 & 5 cf. N
p. 1 cf. and p. 6 cf.

A 14.12.53 Section Clerk

The land on which the petitioner encroached viz S.No. 6/A1 of Kumragod village measuring 6.34 acres is a river accretion - a communal pasturable reginut for the use of the villagers. He encroached upon it without obtaining the written sanction of the authorities.

Rachaya 18.12.53 — 18.12.53

DEPUTY SECRETARY TO GOVERNMENT JAN 1954 REVENUE DEPARTMENT

The petitioner was shown alternate land - (6½ acres) for the 10 acres he encroached upon as political sufferer and what is contemplated ... M(R)

M(R)

Circulate 18.12.53

19/12

is only lease for 10 years and not assignment. The Collector may be asked whether there is any grave objection for giving it on lease for 10 years

M A Nambiar
21.1.54

To K.I.

Please see the note on p.1 ante, the orders in circulation ~~at~~ on pp.1–2 above, another letter submitted by Sri Muthayya Chetty at pp.7–8 c/s and the minutes of 17(Pso.) at p.7 c/s.

2. With ref. to the orders in circulation it may be ~~brought out here~~ mentioned that the site in question was inspected by the BSTR in Dec. 1952 and it is stated that the land is used for communal purposes of the village and that there is unanimous opposition to any interference with it. Therefore the BSTR considered that there is no reason why the lease proposals should be considered when the land is prima facie not available for cultivation. It was for the same reason that the BSTR rejected

2 Please see para 2 of the note on pp. 2-3 ante. M.J. (N)

p.13 c/s (N)

DEPUTY SECRETARY TO GOVERNMENT 21 JAN 1954 REVENUE DEPARTMENT
SECRETARY TO GOVERNMENT 21 JAN 1954 REVENUE DEPARTMENT
ASSISTANT SECRETARY TO GOVERNMENT 21 JAN 1954 REVENUE DEPARTMENT

(N) the petitioner's previous request to grant the land. However w.r.t. the orders (in circulation on p.2 ante) a draft memo. is submitted for approval.

3. The file may be circulated to M(Pro.) thro' M(R). before issue.

C.N. also may perhaps see

1/2/54

Please also see the Order paper at f.13 of flag N, memo at f. 45 of flag N and the notes at pp. 2-3 of flag N

2.2.54

In view of R's orders at flag N and the fact that this is an encroachment on a communal (area) portion, issue of the memo may take place after R (A) sees the case again.

3/2/54

c.i. 3/2

R. circulate

3.2.54 R. (R.) / M. (Pro.)

REVENUE DEPARTMENT
FEB 1954
PERSONAL SECRETARY TO GOVERNMENT

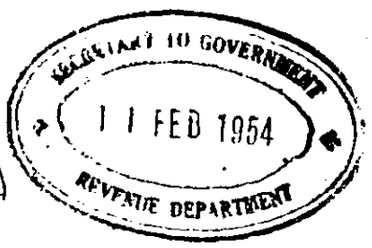
The circumstances that led the appellant to encroach upon the land without the written orders of the Collector are unfortunate. The papers at pp.22-23 c.f. (N) contain an implied hope that this piece of Government land will be leased out to him. The contention of the appellant that the Collector (Sri Rajaratnam) had given him an oral promise to lease out the land to him has not been disputed. In the circumstances and if it is a fact that the appellant has spent some money on the improvement

of the land in question, I should think that we are morally, ~~if~~ though not legally, bound to lease out the land for ~~10~~ Seven years. The Collector may be consulted on all these points and he may also be asked to send his reply within a fortnight at the latest.

Joni Vaucatachellum
11.2.54.

Warrant accepting the premises stated above by M. (Proctor) I agree for a 7 years lease straightaway —

M. A. Manickavasagar
11.2.54



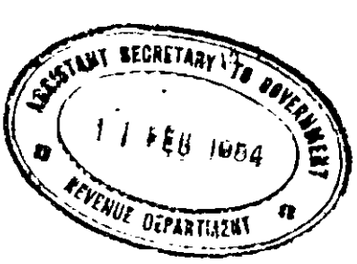
HA

ordering my issue
accordingly forthwith
11/2/54

Revenue Department.

To A.S.

Please see notes from p.1 ante and the orders in circulation on pp.3-4 above. A draft order is submitted for approval.



SS
11.2.54

Issue today
Reckon
11.2.54

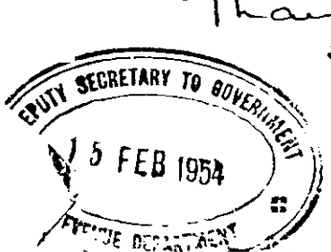
Reckon
11.2.54

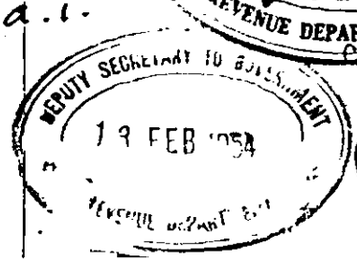
SS
11.2.54

Thanks (H.R.)

M (Pro) a.i.

Joni Vaucatachellum
13.2.54





[From Sri D. B. Anthayya Shetty, petitions dt 20-1-54 & 8-2-54]

To A.S.

Please see the further petitions from Sri D. B. Anthayya Shetty on pp. 10-17 C.F. and the note of this Dept on p. 11 C.F. No action is called for on them as final orders have since been passed in the matter. The papers may be closed as G.O Ms. No. 323, Rev., dt 11.2.1954.

15/2/54

16/2/54

17/2/54

Rfd. 10/2/54.